



City of Greenville

Notice of Administrative Decision for Application # CU 16-239

This public notice is mailed to property owners within 300 feet of the subject property

Property Address: 716 LAURENS RD (TMS#: 019600-05-00900)

Application: Conditional Use Permit to establish an event venue in a C-3, Regional Commercial District

Decision: Approved with Conditions

Conditions:

- 1) The Conditional Use Permit is limited to the Applicant, Valerie Carter, and the business known as "Touched by an Angel," and is not transferrable.
- 2) Operation of the event venue shall substantially conform to the information provided by the Applicant to the Technical Advisory Committee and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the Conditional Use Permit.
- 3) The venue shall be used for rental of the space for private events such as weddings, rehearsal dinners, birthday parties, corporate events, etc. The event venue shall not be used for ticketed events where payment is accepted at the door or for publicly advertised events.
- 4) The use shall operate no later than 12 Midnight. During all events, the Applicant shall assign a manager on the premises who shall ensure compliance with the terms of this Permit, the City Code, and the applicable SC Code of Laws and Regulations. Operation of the business shall comply at all times with the provisions of the State Alcoholic Beverage Control Act and the Regulations of the Department of Revenue.
- 5) Copies of rental contracts shall be in the possession of the onsite Manager and available upon inspection by City Fire, Police or Zoning enforcement officers.
- 6) Maximum occupancy of the event venue shall be determined by the City Building Codes Department based on alternative seating plans provided by the Applicant and shall be managed by the proprietor to prevent overcrowding.
- 7) There shall be no amplification of low frequency (bass) tones after 10 PM. Operation and maintenance of the facility, regardless of the hours permitted to be open to the public, shall comply with the Noise Ordinance, Sec. 16-91 of the City Code.
- 8) All exterior doors and windows shall remain closed except to provide ingress and egress between the hours of 10 PM and 12 Midnight.
- 9) The Applicant shall maintain parking agreement(s) with surrounding properties to ensure that a total of 25 (minimum) parking spaces including on-site spaces are available during events.
- 10) The change in use of the property (from vehicle sales to event venue) requires compliance with current site development standards to the extent practicable as determined by the Administrator (Section 19-6.2.1(B)):
 - Designate an accessible pedestrian route from the sidewalk to the main entrance
 - Provide a landscaping buffer to screen the parking area along Laurens Rd (19-6.5.7(M))
- 11) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.

By application filed 4/11/16 the Applicant, Valerie Carter dba "Touched by an Angel," requested a Conditional Use pursuant to Section 19-2.3.6, *Conditional Use Permit*; Section 19-4.1, *Table of Uses*; and Section 19-4.3.3, *Use Specific Standards*, of the Greenville City Code to establish an event venue in a C-3, Regional Commercial District. Notice was mailed to property owners within 300 feet of the subject property on April 15, 2016. The Applicant met with the Technical Advisory Committee on April 18, 2016.

Findings:

- The Technical Advisory Committee made sufficient findings to recommend approval of the permit, subject to the conditions enumerated above and the Report of the Technical Advisory Committee.
- The use complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of Section 19-4.3, *Use Specific Standards*.
- The infrastructure capacity is adequate to serve the conditional use.
- The event venue (and office) complies with the standards for granting a special exception:

The use is consistent with the comprehensive plan. The Future Land Use Map of the City's comprehensive plan designates the area as "Mixed-Use Neighborhood," which focuses on pedestrians and allows a variety of uses – small groceries, drug stores, neighborhood parks, schools, etc – that serve surrounding neighborhoods.

The use is compatible with the character of surrounding lands. The use is located in an existing building along the Laurens Road commercial corridor, and at the edge of the Nicholtown Neighborhood. Surrounding commercial lands provide a mix of professional office, service, and retail uses in small buildings; single-family homes lie directly behind the businesses. The Applicant has indicated that the venue will be available for smaller types of events and that events will not last beyond 11 PM.

Adverse impacts associated with the design of the use, which may include noise, odors, or parking in surrounding neighborhoods are intended to be addressed by the conditions enumerated above.

Appeal:

Any person believing that the administrator erred in its decision has the right to appeal the decision to the City of Greenville Board of Zoning Appeals. The appeal form and fee must be submitted to the Planning and Development office within 10 business days after the decision is made, and must state the reasons he or she believes the decision is illegal, either in whole or in part.

Conditional Use Permit:

The Conditional Use Permit issued to the Applicant is required to be maintained with other posted occupancy information on the premises, available to city inspectors.

General Information:

The appropriate responsible party must obtain any necessary permits, certificates and/or licenses from the City of Greenville Permits and Licenses Office before beginning work, occupying premises, or starting a business.

Failure to comply with any conditions prescribed in conformity with the City of Greenville Code of Ordinances (Land Management), when made part of the terms under which this Conditional Use is granted, shall be deemed a violation of the City Code, punishable under penalties established by City Code.



Nathalie Schmidt, AICP
Development Planner

June 6, 2016

Date



Office Use Only:

Application# CU 16-239 Fees Paid _____
Date Received 4-11-2016 Accepted By _____

**APPLICATION FOR CONDITIONAL USE
CITY OF GREENVILLE, SOUTH CAROLINA**

APPLICANT / PERMITTEE:

**Operator of the proposed use;
permit may be limited to this entity.*

Name

Title / Organization

APPLICANT'S REPRESENTATIVE:

(Optional)

Name

Title / Organization

MAILING ADDRESS: 716 Laurens Rd Greenville SC 29607

PHONE: 864-999-4885 EMAIL: tbaacarter@hotmail.com

PROPERTY OWNER:

MAILING ADDRESS: 222 EAST PARRENS MILL RD

PHONE: 419-1360 EMAIL: CAL COLLINS @ ATT.NET

PROPERTY INFORMATION

STREET ADDRESS: 716 Laurens Rd.

TAX PARCEL #: 0196000500900 ACREAGE: 0.163 ZONING DESIGNATION: C-3, 940

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE:

Event Venue

INSTRUCTIONS

1. The application and fee, **made payable to the City of Greenville**, must be submitted to the planning and development office during normal business hours.
2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a conditional use). See also **Section 19-2.3.6, Conditional Use Permit**, for additional information. You may attach a separate sheet addressing these questions.
3. For conditional use requests for nightclubs/bars, event venues, or businesses operating after midnight, the applicant must also submit the [Zoning Compliance Application for Establishments Serving Beer, Wine, or Liquor](#).

4. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

5. You must attach the required application fee: \$250.00

6. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to routing the application for staff review. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant and advise them to withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived.

vc To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is ☒ or is not ☐ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.

Valerie Carter APPLICANT SIGNATURE

DATE

Cil Ellis PROPERTY OWNER SIGNATURE

11-11-16 DATE

**Applicant Response To
Section 19-2.3.6(D), Standards – Conditional Use Permit**

(You may attach a separate sheet)

1. Describe the ways in which the proposal complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of **Section 19-4.3, Use Specific Standards**.

Event Venue available for use 7 days a week
Hours of operation anytime between 10am - 11pm
1800 sq feet

2. Describe the ways in which the infrastructure (roads, potable water, sewerage, schools, parks, police, fire, and emergency facilities) capacity is adequate to serve the proposed conditional use.

The capacity to serve the proposed venue is adequate.

Describe the ways in which the proposed use is consistent with the comprehensive plan.

The proposed venue is located in a mixed-use area. Even though it sits on the corner below a residential community it is also surrounded by various types of businesses.

Because of its location and purpose the venue will attract a diverse group of people. It gives the community an opportunity to celebrate special occasions such as baby showers, birthdays, retirement dinners etc. It also creates a space for local businesses to conduct meetings, seminars, workshops, trainings and networking events. The use is compatible with surrounding businesses. There are several lounges in the immediate area serving a greater area than surrounding neighborhoods. There are no adverse impacts associated with the design of the use.

Describe the ways in which the request is appropriate for its location and is compatible with the character of existing and permitted uses of surrounding lands and will not reduce the property values thereof.

The proposed venue is located on Laurens Rd. close to downtown area. On the corner of Laurens Rd and Washington street sits Zobra Lounge. It has been in this location for over forty years, serving greater area than just surrounding neighborhoods. There are no adverse impacts associated with the design of the use. The venue has a rental agreement which dictates the guidelines that one must adhere to when using the facility. The Greenville law enforcement has demonstrated their speedy response to several false alarms at the facility.

Describe the ways in which the request will minimize adverse effect on adjacent lands including: visual impacts; service delivery; parking and loading; odors; noise; glare; and vibration. Describe the ways in which the quest will not create a nuisance.

The rental agreement outlines specific guidelines that one must adhere to when using the facility. It includes but not limited to: music contained within the building and required to end at 10pm. No excessive noise, no loitering. There will be designated parking which will eliminate guest parking on adjacent streets. Loading and unloading areas are identified on the property.



city of greenville

Zoning Compliance Application

Establishments Serving Beer, Wine, Or Liquor

Applicant

Name Valerie Carter Phone 864-979-4885
Mailing Address 716 Laurens Road
Email hbaacarter@hotmail.com
Signature of Applicant Valerie Carter Date 4-11-16

Property Owner

Name Cal Collins Phone 864-419-1360
Mailing Address 1 222 EAST PARKERS MEH RD
Email CALCOLLINS@ATT.NET
Signature of Property Owner Cal Collins Date 4-11-16

Property Information

Address 716 Laurens Rd.
TMS# D196000500900 Zoning District Designation C-3, 940

Description of Proposed Use

Provide details for each of the following, as applicable, on a separate sheet:

Operating Plan

1. Type of Use (Restaurant, Nightclub, Event Venue, Etc.)
2. Days and Hours of Operation
3. Staffing Schedule
4. Kitchen Equipment Schedule
5. Menu and Hours of Food Service
6. Parking for Customers and Employees
7. Designated Smoking Area
8. Type of Entertainment and Duration
9. Closing / "Last Call" Procedures

Seating Plan

1. Provide a floor plan, drawn to scale, by a registered South Carolina architect. The plan must demonstrate the proposed occupancy with calculations based on the current adopted building code.
2. Schedule a feasibility inspection of the property: 864.467.4457

Business Plan

1. Business Plan Summary: Target Audience, Theme, Objectives / Goals
2. Projected Revenue: % Alcohol Vs. Food Sales
3. Fees For Entry / Membership / Entertainment
4. Status Of City Business License Application
5. Status Of SCDHEC 'Retail Food Establishment' Permit, If Applicable
6. Status Of Abl-901 Application To SC Department Of Revenue
7. Provide Documentation That Sled Requirements Have Been Met

Security Procedures

1. Number and Type of Designated Security Staff
2. Training / Certification of Staff
3. Specific Duties / Responsibilities of Staff
4. Entry / Exit / Re-Entry Procedures
5. Crowd Management
6. Crime Prevention through Environmental Design (CPTED)

Operating Plan

1. Event Venue
2. Available for use 7 days a week
3. Staffing onsite for the duration of event
4. Onsite parking with additional parking from neighboring business.
5. Smoke-free facility
6. DJ depending on the type of event. Music ends at 10pm
7. Close at 11pm last hour for clean-up

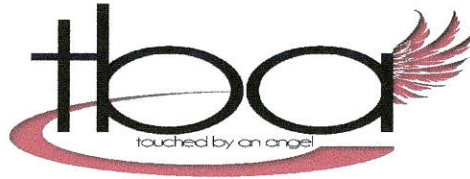
Security Procedures

1. One off duty officer hired for any event serving alcohol
2. One staff member in building during the duration of event held
3. Staff responsibilities include keeping restrooms clean, trash picked up, music at a reasonable level, setting alarm and locking up facility at the end of night. Making sure all guests have left the property
4. All Events or Private no ticket sells

Seating Plan - see attachment

Business Plan Summary

The proposed venue is located in a mixed- use area. The venue will target all throughout Greenville looking for a space for a small intimate occasion or workshop facility etc. This will be the perfect venue for you. The objective is to attract a diverse group of people. With the goal being to offer a space that can be used by all.



Event Policies and Procedures

1. TBA Venue has no policy for holding dates. Reservations are issued to the first party to complete a contract and all required steps to guarantee reservation. If you have not completed contract and deposit for a specific date, then your date is still available and may be rented to another party.
2. The agreed rental period is stated in your rental contract and must include your setup and breakdown time. (This means the time needed for you to setup and breakdown the event completely) Your check-in begins at the start of your rental period. The building will not be accessible prior to your check-in time unless requested and paid for one week in advance. If you go over your rental time, you will be responsible for additional fees.
3. TBA will provide setup and breakdown of our items as agreed upon and initiated on the layout diagram. Once a room is setup by our staff any additional changes will incur an additional charge. If any items are moved causing damage to floors or walls will be an additional charge.
4. An alcohol license is required to serve alcohol at TBA (no exceptions). Proof of license must be provided and prior approval received from TBA staff at least two weeks prior to the event.
5. TBA closes at 11pm. No exceptions.
6. To ensure compliance with event center closing time, all music, must be completed by 10pm.
7. Obscene music is not permitted. TBA does not want to dictate what type of music is played but requests that all music is tasteful, without profanity, and non-offensive to any guest. Any violation of this policy will result in discontinuation of event and no refund due to reduction in rental period or loss of time.
8. All special needs must be ordered and paid for in full two weeks before the event.
9. No smoking on the premises. If a guest of yours is caught smoking, they will be asked to leave the premises immediately.
10. Rice, Birdseed, glitter, confetti and fireworks are not allowed inside or outside the facility. This will be a \$150 fine.
11. No skates, rollerblades, or other wheeled objects are allowed inside the facility or on the premises. Exceptions are only made for wheelchairs and strollers.
12. All decorations/equipment must be removed at the end of any event. Any items left for more than 24 hours without a phone call or prior approval will be thrown away or become property of TBA.
13. All centerpieces and decorations must be removed from tables and other used areas at the end of every event. Failure to assign someone to this duty will result in the loss of deposit. This also applies to any materials, etc. left in storage areas or outside of TBA.
14. Please do not throw food or cake at your event. Doing so may result in losing your deposit.
15. No open flamed candles are allowed no exceptions Please check with staff concerning centerpieces or decorations that will include candles. you will not be allowed to use decorations that do not fit the guidelines and will be charged.
16. No furniture or equipment is to be moved or removed without prior approval. Doing this may result in you losing your deposit.
17. All tables and chairs must remain in their proper place.
18. No equipment, furnishing, or similar items are allowed in the building or on the premises without written permission from TBA staff.
19. No grills are permitted outside
20. No banners are allowed inside or outside of venue without prior approval. If approved, banners cannot be hung on building or walls. The banner must be stand-alone
21. Decorations may not be attached in any way to the surface or walls of the facility. No nails, tacks, staples, tape, or other items should be used to hang objects anywhere in the building or on the premises. You will lose your deposit if you do not follow this rule.

22. Proper etiquette is expected at all times including restrooms and outside the facility.
23. Children are expected to be supervised at all times and should not be allowed to run or be outside unless with a adult at all times.
24. Cooking is not allowed on site. All food and beverages must be removed at the end of the event.
25. Misuse of the facility, unruly or illegal behavior, failure to observe posted signage, and/or the failure to obey any portion of the provisions contained in this document or rental contract constitute a breach of contract and may result in actions against the renter including, but not limited to, cancellation of the rental period, immediate dismissal/removal from the facility, forfeiture of a portion or all of the deposit or other funds already paid. Additional fees or charges, and legal action. Renter will pay the fee for security in if alcohol is being served in addition to venue fee.
26. Parking is free and must be in designated parking areas in parking lot and adjacent lot. All fire lanes must remain open
27. Payment Accepted: Payment is acceptable in the form of personal checks ,cash, money order or major credit cards excluding Discover.
28. Security Deposit: A security deposit of \$350 is required in the form of cash and is payable with the final balance 3 weeks prior to the event. The security deposit, which is fully refundable if no damage occurs during the rental period. It is refunded to you after inspection on the facility. The security deposit is a separate charge and is not applied to the rental cost.
29. Required Deposit: A deposit of 25% is required to secure your reservation and is due at the signing of the contract agreement.
30. Cancellation Policy: If a event is cancelled more than 30 days prior to the event, a penalty will be imposed. If an event is cancelled less than 30 days but more than 14 days prior to the event, a penalty of 50% to the total cost will be imposed. If an event is cancelled less than 14 days prior to the event, a penalty of 100% will be imposed.



Printed Name of Client

Date

X

Signature of Client

Date

X



Request to Serve Alcohol Form

Policy

1. Prior approval must be obtained from TBA for any event where alcohol will be served. It will be necessary to complete and adhere to all TBA Venue policies and applicable city and state laws.
2. Any sponsoring organization or group which serves alcohol at their events must use trained servers. Copy of permit must be issued and a copy received by TBA Event Venue two weeks prior to the event.
3. No Bring your own bottle, cash bar or sale of alcohol permitted.
4. Sponsoring organizations or groups assume responsibility for their event. This responsibility includes providing own alcohol and insuring that only those of legal drinking age possess and/or consume alcoholic beverages, refusing to serve people who appear, act, or behave in an intoxicated manner; providing sufficient quantities of non-alcoholic beverages as dictate by the event and the crowd, and finally providing sufficient quantities of food throughout the event. The group has the responsibility of restricting alcohol to the designated area.
5. Consuming or possessing open containers of alcoholic beverages is prohibited outside of venue.

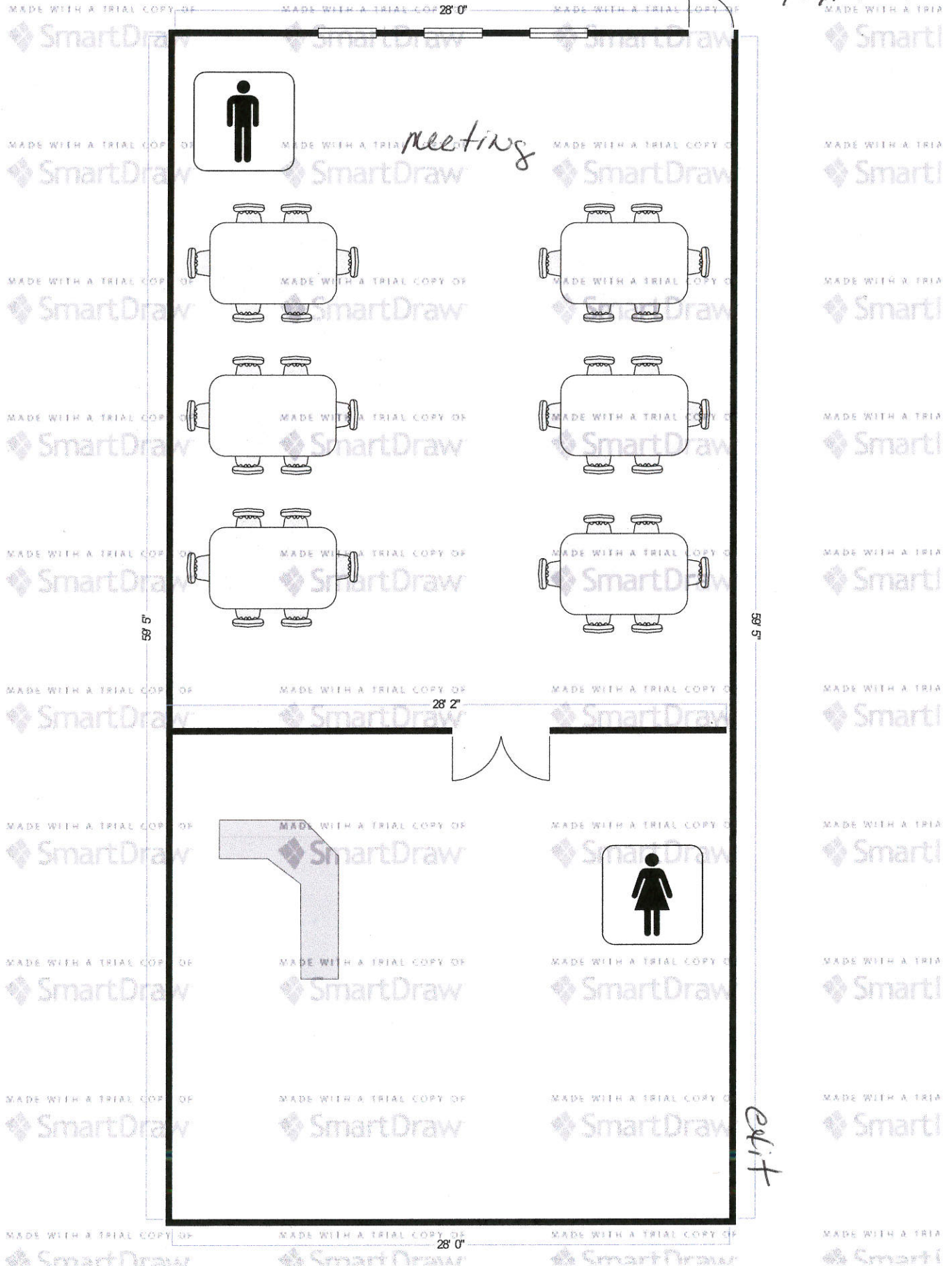
Clients who sponsor events where alcohol is present must adhere to the following guidelines in addition to those stated above:

- Alcohol served at any event must be accompanied by food.
- The duration of alcohol service can only last six hours when accompanied by a complete meal: a four hour limit will be placed on any other event with alcohol and food that is not a complete meal.
- Alcohol will not be served after 10pm and must be cleared by 11pm.
- Any damages to TBA Event Venue facility as a result of the event will be the responsibility of the client.

Questions may be directed to TBA Event Venue by calling 865-412-8191 or by emailing tbaacarter@hotmail.com.

Laurens Rd

Entrance/exit

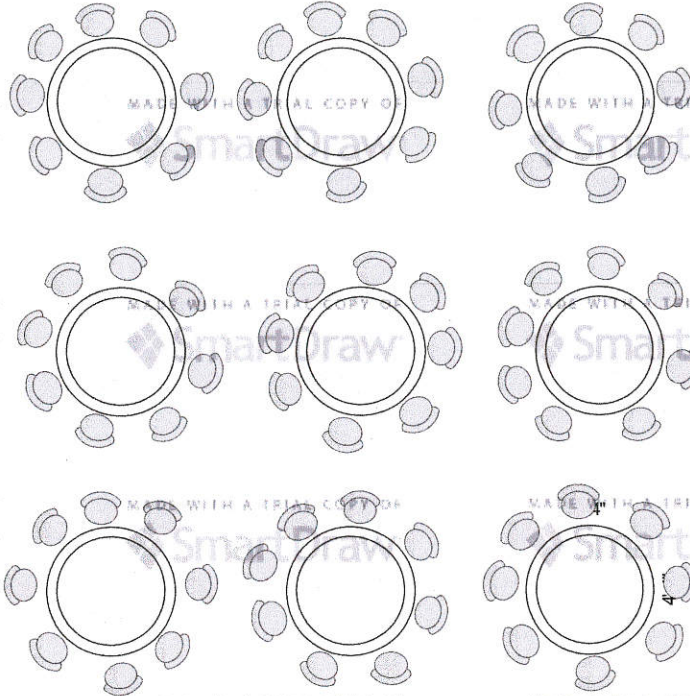


Laurens Rd

Entrance/Exit



banquet dinner



Entrance/Exit

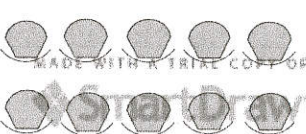
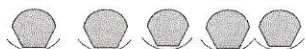
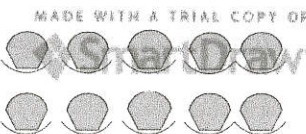
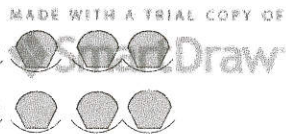
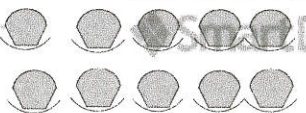
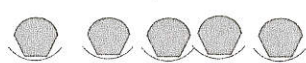
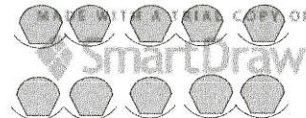
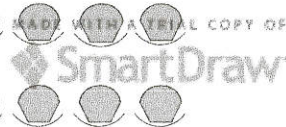
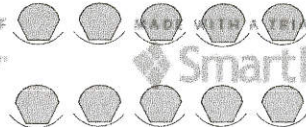
Laurens Rd

28' 0"

Entrance/Exit



Small wedding or
Seminar



28' 2"

58' 1"

58' 1"



Exit

28' 0"

Laurens Rd

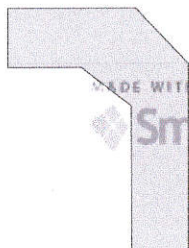
28' 1"



standing Reception or
event



27' 10"



Entrance/Exit

28' 1"

